

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS**

**Kelly Pinn,**

**Plaintiff,**

**v.**

**Case No. 4:24-cv-00488-P**

**Better Tax Relief, LLC**

**Defendant.**

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**DEFENDANT’S MOTION FOR AN EXTENSION OF TIME  
TO FILE ITS ORIGINAL ANSWER**

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**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, Defendant BETTER TAX RELIEF, LLC (“Defendant” or “Better Tax Relief, LLC”), by and through its undersigned counsel, and files this *Defendant’s Motion for an Extension of Time to File its Original Answer*, seeking an extension of thirty (30) days, until September 5, 2024. In support thereof, Defendant Better Tax Relief, LLC would respectfully show the Court the following:

1. On or about May 27, 2024, Plaintiff Kelly Pinn (“Plaintiff” or “Kelly Pinn”) filed her *Plaintiff’s Original Complaint* under DKT 1.

2. On or about June 10, 2024, the Waiver of Service in this matter was filed. The Defendant was to enter an appearance in the case by August, 8, 2024 pursuant to the waiver under DKT 6.

3. On August 5, 2024, a Notice of Motion to Consolidate cases in the Western District of Texas was filed under DKT 7. The matter is referred to IN RE: Range View

Management, LLC, et al., Telephone Consumer Protection Act (TCPA) Litigation, MDL No. 3123, now pending in the Western District of Texas.

4. On August 7, 2024, a stipulated Motion to Stay the proceeding was filed pursuant to the Notice of Transfer to the MDL case, under DKT 8.

5. On August 9, 2024, the court struck the stipulated Motion to Stay and ordered the case to remain on its docket under DKT 10.

6. Defendant Better Tax Relief, LLC has not yet filed its answer, but plans to do so contemporaneous with the filing of this Motion, additionally seeking leave as stated in its Original Answer.

7. The Defendant's motion respectfully seeks leave for an extension of time to file its answer by thirty (30) days.

8. The undersigned counsel has good cause for the requested extension of time, as the denial of the stipulated motion was after the deadline to file its answer in this matter, and the case was under consideration to transfer to another court and the referenced stipulation, which was later denied and struck by the court. The Defendant did not have time to answer the case by the deadline to file its answer, as stated under the foregoing facts and lacked adequate time to fully and completely prepare an answer on or before the deadline.

9. This is the first request for extension of time for Defendant to file its answer. No Motion for default or other pleading has been sought or filed by the Plaintiff to date, and the Plaintiff will not be prejudiced by the entry of an extension in this matter.

10. For the foregoing reasons, Defendant respectfully requests that this Court grant its *Defendant's Motion for an Extension of Time to File its Original Answer*, granting a 30-day extension until Thursday, September 5, 2024, to file its answer to *Plaintiff's Original Complaint*.

11. This Motion is not made for delay, but so that justice may be done.

**PRAYER FOR RELIEF**

12. For the reasons set forth above, Defendant Better Tax Relief, LLC respectfully requests that this Court grant this *Defendant's Motion for an Extension of Time to File its Original Answer* and extend the deadline for filing its answer up to Thursday, September 5, 2024.

ATTORNEY FOR DEFENDANT

Silberman Law Firm, PLLC

By: /s/ Jesse Buttery

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ATTORNEY FOR DEFENDANT BETTER  
TAX RELIEF, LLC

**CERTIFICATE OF CONFERENCE**

The undersigned counsel certifies that, pursuant to Local Rule 7.1(a) and (b) he conferred with counsel for the Plaintiff on August 26, 2024, to determine if there is no opposition to the relief requested in this motion, or, in the alternative, to make a good faith attempt to resolve the matter by agreement. However, the Plaintiff indicated that he was **opposed** due to the waiver of service filed in this matter at DKT 6, and counsel for the Defendant accordingly respectfully submits this motion to the Court for its consideration.

/s/ Jesse Buttery  
Jesse Buttery

**CERTIFICATE OF SERVICE**

The undersigned attorney certifies that on August 27, 2024, a true and correct copy of this instrument was served on all counsel of record according to the Federal Rules of Civil Procedure:

/s/ Jesse Buttery  
Jesse Buttery